IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Application No.3598 of 2007

Danish Sameer Hingora — Applicant
Vs.
State of Maharashtra & ors. — Respondents

Mr.Uday Warunjikar for applicant.
Mr.D.P.Adsule, APP for State.

CORAM: B.H.MARLAPALLE, J.

October 30, 2007.

P.C.

. Heard Mr.Warunjikar, he learned counsel for the applicant and Mr.Adsule, the learned APP.

. This is an application moved by the son of Accused no.53 i.e. Sameer Hingora who has been convicted in the Bomb Blast Case and sentenced to suffer RI for seven years. He has already filed an appeal before the Apex Court against the said order of conviction and sentence and as he could not be supplied the certified copy of the trial Court's judgment and order, he was released on bail by the Apex Court. However, on certified true copy having been supplied by the trial Court on 24/10/2007, he has surrendered as per the conditions imposed by the Supreme Court in the bail order.

. By this application the applicant is seeking limited prayer of permission to supply home food to his father while he is in jail at Mumbai. The learned APP has opposed this and has referred to the State Government's G.R. which suggests that all such dietary requirements are taken care of.

. The order passed by the trial Court on 24/10/2007 directing the Accused No.53 to be taken in custody has set out the following note:

> "While sending A-53 to prison that as per provisions of manual he should be permitted to carry:
>
> (1) Pair of clothes, (2) medicines, (3) diet food packets of reasonable quantity.
>
> However, said articles to be allowed only after necessary security check-up. Similarly the said accused having undergone recently angioplasty before shifting himself to any other place he should be examined by competent doctors and only upon their certifying he

should be shifted to another prison and that too if feasible by sending him by train. Till then all the necessary medical treatment as required be provided to A-53 either in prison hospital or at competent Government hospital. Prior to release on interim bail accused was lodged in Aurangabad Central Prison."

. It is hereby directed that so long as the accused is in a jail at Mumbai, the applicant shall be allowed to supply home food to his father (A-53) subject to the prescribed security precautions being taken and the food carrier / packets shall be delivered in the office of the Superintendent of the concerned Jail and in turn it shall be provided to Accused No.53. However, such facility will not be available if and when the accused is hospitalised and/or is shifted to any other jail out of Mumbai.

Application is disposed off accordingly.

(B.H.MARL